

ORIGINAL



0000097452

INTERVENTION BEFORE THE ARIZONA CORPORATION

RECEIVED

COMMISSIONERS

Kristin K. Mayes

Gary Pierce

Sandra D. Kennedy

Paul Newman

Bob Stump

2009 MAY 19 A 9:48

FILED FOR DOCKETING
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF UNS
ELECTRIC, INC., FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY FOR THE VAIL
TO VALENCIA 115 KV TO 138 KV TRANSMISSION
LINE UPGRADE PROJECT, ORIGINATING AT THE
EXISTING VAIL SUBSTATION IN SEC. 4, T.16S.,
R.15E., PIMA COUNTY, TO THE EXISTING
VALENCIA SUBSTATION IN SEC. 5, T.24S.,
R.14E., IN THE CITY OF NOGALES, SANTA CRUZ
COUNTY, ARIZONA.

Docket No. L-00000F-09-0190-00144
(corrected Docket No.)

Arizona Transmission and Power
Plant Line Siting
Case No. 144

Arizona Corporation Commission

DOCKETED

MAY 19 2009

DOCKETED BY

Notice of Filing a
Motion to Intervene
by
Marshall Magruder

As a ratepayer, consumer, and interested party, I respectfully request to intervene to be a party in this matter. I have experiences involving Santa Cruz County energy issues as an appointed member of the Joint Santa Cruz County/City of Nogales Energy Commission in late January 2001 until August 2008. Potential issues should be prudently resolved during this case. The total environment is a major issue that involves natural and human environments. The key issue is the cost impact to ratepayers.

The following are concerns in this case:

- a. Consumer cost impacts by the change from the Western Area Power Administration (WAPA) to Tucson Electric Power Company (TEP) for transmission services for UNS Electric in Santa Cruz County with potential increases in wheeling charges;
- b. Total environmental impacts in terms of increased air pollution and water consumed with a change from dominant natural gas to coal-generated electricity from the Four Corner's area;
- c. Electrical and economic impacts due to increased energy (transmission) losses on the TEP lines from Four Corners versus the WAPA transmission system that are now over 15%;
- d. Electrical and economic impacts on the Tucson area power sink (deficit) by UNSE's 75 to 120 MW plus 133 MW for Rosemont Copper (considered separately) by importing "market" power;
- e. Impacts of new routes that reduce trees in a riparian area;

Motion to Intervene by Marshall Magruder

- 1 f. Visual and safety impacts of segment 4 in the City of Nogales;
2 g. Visual impacts of "weathered" compared to less visible galvanized steel poles;
3 h. And other environmental issues.

4 If this motion is approved, request a discovery period through 30 June 2009, Due to the short
5 time between now and the hearings, if the applicant denies any discovery data request, that response,
6 requires rapid adjudication. Such denied response needs to include the Committee Chairman as an
7 addressee so any dispute can be promptly resolved. I plan to dispute any data request denial to the
8 Committee Chairman within 3 days. As usual, ten calendar days for data request responses is
9 expected.

10 This filing has been mailed to all parties in the Service List below.

11 Respectfully submitted on this 7th day of May 2009, resubmitted on this 18th day of May 2009.

12 MARSHALL MAGRUDER

13 By 
14

15 Marshall Magruder
16 PO Box 1267
17 Tubac, Arizona 85646-1267
18 (520) 398-8587
19 marshall@magruder.org

20 **Service List**

21 Original and 27 copies of the foregoing are filed this date with:

22 **Docket Control** (25 copies)

23 **Arizona Corporation Commission**

1200 West Washington Street
Phoenix, Arizona 85007-2927

24 **Janice Alward**, Chief Counsel, Legal Division

25 **Earnest G. Johnson**, Director, Utilities Division

26 **John Foreman**, Chairman of the Arizona Power Plant and Transmission Line Siting Committee

Assistant Attorney General, State of Arizona, Office of the Attorney General

1275 West Washington Street

Phoenix, Arizona 85007

28 Additional Distribution (1 copy each) are filed this date:

29 **Jason D. Gillman**, Attorney for Applicant

Roshka De Wulf & Patten

One Arizona Center

400 East Van Buren Street, Suite 800

Phoenix, Arizona 85004-2262

Marcus Jerden, Corporate Attorney

Tucson Electric Power Company

PO Box 711

Tucson, AZ 85711

Daniel W. Pozefsky, Chief Counsel

Residential Utility Consumer Office (RUCO)

1110 West Washington Street, Ste 220

Phoenix, Arizona 85007-2958